

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GERALDO MENA,

Plaintiff,

against

THE CITY OF NEW YORK, et al.,

Defendants.

CIVIL ACTION NO.: 15 Civ. 3707 (ALC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

A Telephone Conference was held today, August 19, 2020, regarding Plaintiff's Letter-Motion for an anticipated motion to compel (ECF No. 118), and letter regarding an anticipated motion for sanctions and to stay depositions (ECF No. 124). The Court rules as follows:

1. Plaintiff's request to stay depositions pending a motion for sanctions is DENIED.

Plaintiff's request for additional time to depose Chief Stukes and Mr. Brian Charkowick is GRANTED. Plaintiff may depose Chief Stukes and Mr. Charkowick for an additional three and one half hours each. Chief Stukes' deposition is to occur on August 21, 2020, and the parties are to reschedule Mr. Charkowick's deposition to be completed before August 31, 2020, if possible.

2. The parties confirmed that Defendants will provide use of force policies created or distributed between September 2013 and June 2014.
3. Plaintiff's request for documents associated with investigations into use of force and insufficient reporting incidents for Defendants Marin and Radie is GRANTED IN PART insofar as Defendants must search for and produce such documents

relating to incidents involving Plaintiff, and DENIED IN PART WITHOUT PREJUDICE insofar as Defendants are not required to search for and produce such documents relating to incidents involving other inmates. On review of Defendants' production, Plaintiff may renew their request for documents associated with investigations into use of force and insufficient reporting incidents for Defendants Marin and Radie involving other inmates.

4. Plaintiff's request for production of Marin's and Radie's shift logs for the weeks of the alleged assaults is GRANTED. Defendants are directed to produce shift logs for the weeks of each alleged assault for Marin and Radie.

The fact discovery deadline remains **Monday, August 31, 2020**, but Defendants are granted an extension to make the productions detailed above by **Monday, September 21, 2020**. The parties are directed to complete all depositions by **August 31, 2020** and file a joint status letter by **Tuesday, September 1, 2020**, including an update on the status of the above depositions and productions as well as the scheduling of the depositions of Officers Francis and Clement.

The Clerk of Court is respectfully directed to close ECF No. 118.

Dated: New York, New York
August 19, 2020

SO ORDERED


SARAH L. CAVE
United States Magistrate Judge